



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): William R. Bidermann, Erlend M. Olson
Assignee: PIXIM, Inc.
Title: Electrically and Optically Symmetrical Analog-to-Digital Converter for Digital Pixel Sensors
Serial No.: 10/620,580 Filing Date: July 15, 2003
Examiner: Mai, Lam T. Group Art Unit: 2819
Docket No.: PIX-P-036P1

San Jose, California
April 20, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Sir:

Petitioner, Pixim, Inc., a California corporation having a place of business at 915 Linda Vista Ave., Mountain View, California 94043, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior **Patent No.6,518,909**. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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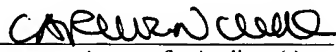
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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. §1.20(d), the commissioner is authorized to charge the fee of \$55.00 to Deposit Account No. 502226 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that she is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2004.


Attorney for Applicant(s)

4/20/2004
Date of Signature

Respectfully submitted,



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Reg. No. 42,433